

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

RITA DINDRAL,

Plaintiff,

v.

LINCOLN FINANCIAL INSURANCE
COMPANY; AMAR JIT DINDRAL;
SUKHDEV MANMAN; RUPINDER
VEENA SINGH; and DOES 1 TO 10,
inclusive,

Defendants.

THE LINCOLN NATIONAL LIFE
INSURANCE COMPANY,

Counterclaimant,

v.

RITA DINDRAL, an individual;
AMAR JIT DINDRAL, an individual;
SUKHDEV MANMAN, an individual
and Administrator of the Estate of
Danny Dindral; RUPINDER VEENA
SINGH, an individual and
Administrator of the Estate of Danny
Dindral; and DOES 1 TO 10, Inclusive,

Counterdefendants.

Case No. C13-04578-RS

**[PROPOSED] ORDER GRANTING
STIPULATION FOR DISCHARGE,
DISMISSAL, REMAND OF CASE,
AND ORDER FOR DISTRIBUTION
OF PROCEEDS FROM CLERK OF
THE COURT [AS MODIFIED BY
THE COURT]**

1 GOOD CAUSE APPEARING and based upon the Stipulation for Discharge,
 2 Dismissal, Remand of Case, and Order For Distribution of Proceeds From Clerk of
 3 The Court submitted by Plaintiff/Counterdefendant Rita Dindral, an individual;
 4 Defendant/Counterclaimant The Lincoln National Life Insurance Company
 5 (“Lincoln National”); and Defendants/Counterdefendants Amarjit Dindral, an
 6 individual, Rupinder Veena Singh, as an individual and Administrator of the Estate
 7 of Danny Dindral, Sukhdev Manman, as an individual and Administrator of the
 8 Estate of Danny Dindral, the Court orders as follows:

9
 10 1. Lincoln National and the employee welfare benefit plan (“the Plan”)
 11 established and maintained by Federal Express Corporation are hereby discharged
 12 any liability to the full extent permitted by law with respect to life insurance
 13 benefits under policy no. 000850019313 (the “Policy”) issued by Lincoln National.
 14

15 2. Counterdefendants shall be restrained from taking, or proceeding with
 16 or commencing any action against Lincoln National and/or the Plan or their present,
 17 former, and future officers, directors, shareholders, employers, employees, parents,
 18 subsidiaries, affiliates, reinsurers, insurers, administrators, agents, predecessors,
 19 successors, attorneys and assigns, for or on account of any transaction, matter,
 20 happening or thing in any way arising out of or relating to the rights and obligations
 21 of the parties with respect to the Policy and/or the Plan, and/or with respect to life
 22 insurance benefits due under the Policy and/or the Plan.
 23

24 3. Lincoln National shall be awarded the sum of \$2,750 as reasonable
 25 attorneys’ fees and costs incurred in connection with its Counterclaim in
 26 Interpleader, to be paid out of the proceeds deposited with the Clerk of this Court.
 27 The Clerk shall issue payment to Lincoln National in the sum of \$2,750 from such
 28 proceeds, in care of its attorneys Burke, Williams & Sorensen LLP. The check

1 shall be made payable to “The Lincoln National Life Insurance Company” and
2 mailed to:

3
4 Keiko J. Kojima
Burke, Williams & Sorensen, LLP
5 444 South Flower Street, Suite 2400
Los Angeles, CA 90071-2953
6

7 4. Lincoln National shall be dismissed with prejudice from this action
8 (the Complaint and the Counterclaim) in its entirety. As such, upon remand,
9 Lincoln National will not be a party to the state court proceeding.
10

11 5. This case shall be remanded to the Superior Court of California
12 County of Alameda, Hayward District.
13


14 6. To transfer the deposited proceeds to the Alameda County Superior
15 Court, after the distribution of \$2,750 to Lincoln National as provided for in
16 Paragraph 3, the Clerk of this Court shall issue a check for the entirety of the
17 remainder in deposit, including any accrued interest, made payable to the “Clerk of
18 the Superior Court of Alameda County” and mailed to:

19
20 David M. Zeff, Esq.
Law Offices of David M. Zeff
21 1100 Larkspur Landing Circle, Suite 200
Larkspur, CA 94939
22

23 7. The Law Offices of David M. Zeff shall deposit the check referenced
24 in Paragraph 6 with the Clerk of the Superior Court of Alameda County for the
25 state court action within 10 business days after the state court receives the case
26 upon remand.
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28 IT IS SO ORDERED.

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3 DATED: 2/13/14
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HON. RICHARD SEEBORG
UNITED STATES DISTRICT JUDGE